

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JUNE 26, 2003**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Joan M. DuBois, Dranesville District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:15 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Hall MOVED THAT THE PUBLIC HEARING ON SEA 94-M-047, SAUL SUBSIDIARY I LIMITED PARTNERSHIP, BE DEFERRED TO A DATE CERTAIN OF JULY 23, 2003.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Harsel and Wilson not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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Commissioner Koch MOVED THAT THE DECISION ONLY ON RZ 2002-SU-034, DENNIS O. AND KAREN M. HOGGE, BE FURTHER DEFERRED TO A DATE CERTAIN OF JULY 9, 2003, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Harsel and Wilson not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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Commissioner Koch MOVED THAT THE PUBLIC HEARING ON PCA 86-S-071-3 AND FDPA 86-S-071-4, TRINITY CENTRE THREE AND TRINITY LAKE, BE DEFERRED TO A DATE CERTAIN OF NOVEMBER 12, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Harsel and Wilson not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON S03-II-F1, OUT-OF-TURN PLAN AMENDMENT, BE FURTHER DEFERRED TO A DATE CERTAIN OF JULY 10, 2003, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Kelso seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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Commissioner Smyth MOVED THAT THE PUBLIC HEARING ON PCA 84-P-035-4, FDPA 84-P-035-4, AND CSPA 84-P-035, JCJ, LC, BE DEFERRED TO DATE CERTAIN OF SEPTEMBER 25, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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Commissioner Kelso MOVED THAT THE PUBLIC HEARING ON RZ 2003-LE-006, MVHRC HOLDING, INC., BE DEFERRED TO A DATE CERTAIN OF SEPTEMBER 18, 2003.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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Commissioner Alcorn announced that the Environment Committee would meet on Thursday, July 17, 2003, at 7:30 p.m., in the Board Conference Room, to continue discussions on air quality.

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Commissioner Smyth announced that the Policy and Procedures Committee would meet on Wednesday, July 9, 2003, at 7:30 p.m., in the Board Conference Room, to continue discussions on stormwater management.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SEA-85-M-086 - RADLEY AUTOMOBILES, INC., D/B/A RADLEY ACURA

This order was accepted without objection.

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SEA-85-M-086 - RADLEY AUTOMOBILES, INC., D/B/A RADLEY ACURA - Appl. under Sects. 4-804 and 9-622 of the Zoning Ordinance to amend SE-85-M-086 previously approved for a vehicle sales, rental and ancillary service establishment to permit the addition of land area, site modifications and modifications to development conditions and modifications/ waivers in a Commercial Revitalization District (CRD). Located at 5823 Columbia Pi. on approx. 3.46 ac. of land zoned C-8, CRD, HC and SC. Tax Map 61-2 ((1)) 103A and 105 and a portion of Columbia Pike public right-of-way (service drive) to be abandoned. (Approval of this application may enable the abandonment of portions of the public rights-of-way for Columbia Pike to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.) MASON DISTRICT. PUBLIC HEARING.

Barnes Lawson, Jr., Esquire, Lawson and Frank, PC, reaffirmed the affidavit dated April 23, 2003. Commissioner Kelso disclosed that he had a business relationship with the applicant; therefore, he recused himself from the proceedings on this case. Commissioner Hall disclosed that her husband had been employed by the applicant, but that she had been advised by the County Attorney's Office that it was not necessary to disclose this information because his employment had ended over a year ago. She also disclosed that she had done business with the applicant, but that it would not interfere with her ability to make an objective recommendation on this application.

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Responding to a question from Commissioner Hall, Ms. Swagler said staff did not support the hours of operation proposed by the applicant due to the proximity of adjacent residential development.

Mr. Lawson stated that the applicant was requesting approval to increase the number of employees and to expand the hours of operation to meet the demand for its services. He said because there was no property available for purchase in the vicinity which would allow for additional service bays, it was necessary to have two service shifts. He noted that buffering and landscaping would mitigate the affects of the expansion between the applicant's property and the adjacent property owner, Thelma Newman. He said the proposal had the support of the Baileys Crossroads Revitalization Corporation and the Mason District Land Use Committee, and requested a favorable recommendation.

Responding to a question from Commissioner Hall, Mr. Lawson said that Ms. Newman had no interest in selling her property.

Commissioner Hall reviewed her recommended revisions to Development Conditions 4, 8, 9, 14, 19, 24, 25 and 26, as articulated in her motions below.

Responding to a question from Vice Chairman Byers, Commissioner Hall said that Ms. Newman supported hours of operation until 2:00 a.m., but was not in favor of a 24-hour operation.

In response to another question from Vice Chairman Byers, Mr. Lawson said that because the building was totally enclosed, there was no noise spillover into the adjacent residential area.

Commissioner Hall commented that it was important to keep businesses such as Radley Acura in the Baileys Crossroads area to ensure its continued revitalization.

Responding to a question from Commissioner Harsel, Commissioner Hall said that headlight glare was not a problem because cars did not enter or exit the side of the building adjacent to the residential development.

Ms. Swagler responded to a question from Commissioner de la Fe about the weekend hours of operation.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Hall for action on this item. (A verbatim transcript is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-85-M-086, SUBJECT TO THE

DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 24, 2003,
WITH THE FOLLOWING CHANGES:

CONDITION NUMBER 4: THE HOURS OF OPERATION SHALL BE LIMITED TO 7:00 A.M. TO 2:00 A.M., MONDAY THROUGH FRIDAY; AND 8:00 A.M. TO 6:00 P.M. SATURDAY AND SUNDAY;

CONDITION NUMBER 8: CHANGE THE PERCENTAGE TO 18 PERCENT;

CONDITION NUMBER 9: CHANGE THE PERCENTAGE TO 12.1 PERCENT;

CONDITION NUMBER 14C: ADD: "...OR DIRECTED IN SUCH A MANNER AS..." AFTER "...SHALL BE FITTED WITH SHIELDS.";

CONDITION NUMBER 19: INSTEAD OF READING "NO MORE THAN TWO VEHICLES..." CHANGE IT TO READ: "NO MORE THAN 10 VEHICLES AT A TIME SHALL BE DISPLAYED IN THE PLAZA."

CONDITION NUMBER 24: CHANGE THE TIME FOR THE PLANTINGS TO OCCUR TO BE "...WITHIN FOUR MONTHS OF THE DATE OF APPROVAL OF THIS APPLICATION" INSTEAD OF "ONE YEAR.";

CONDITION NUMBER 25: THIS CONDITION WILL NOW READ: "THE FENCE LOCATION SHOWN ON EXHIBIT 2 TO BE INSTALLED ON THE ADJACENT PROPERTY IDENTIFIED AS TAX MAP PARCEL 61-2((1))108 SHALL BE FLAT-TOP SPACED PICKET FENCE WITH MOUNT VERNON DIP, AS SHOWN ON EXHIBIT 3, AND SHALL BE INSTALLED WITHIN 30 DAYS OF APPROVAL OF THIS APPLICATION.";

CONDITION NUMBER 26: THE SECOND SENTENCE WILL NOW READ: "THE NAME, AND DAY AND EVENING TELEPHONE NUMBERS, OF THIS PERSON SHALL BE PROVIDED TO THE OWNER OF TAX MAP PARCEL 61-2((1))108, IN CASE ANY PROBLEMS SHOULD ARISE DURING THE DAY OR DURING THE EVENING."

Commissioner Koch seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER ON THE SOUTHERN BOUNDARY OF PARCEL 105 IN FAVOR OF THAT SHOWN ON THE SEA PLAT AND AS CONDITIONED.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A PARKING REDUCTION OF 20 PERCENT IN ACCORDANCE WITH SECTION A7-207 OF THE ZONING ORDINANCE.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioners DuBois and Murphy absent from the meeting.

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The meeting was adjourned at 8:52 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Linda B. Rodeffer

Approved on: May 4, 2005

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission